IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

WP(C).No. 30645 of 2006(W)

PETITIONER:

RAMLA BEEVI, AGED 45 YEARS,
W/O. MUHAMMED BASHEER, KALAPURAKKAL HOUSE,
PUTHENCHANTHA, MUNDAKKAYAM, KOTTAYAM DISTRICT.

BY ADV. SRI.K.A.HASSAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE JOINT REGIONAL TRANSPORT OFFICER,
KANJIRAPPALLY.

3. DEPUTY TRANSPORT COMMISSIONER,
ERNAKULAM CZ II.

4. TRANSPORT COMMISSIONER,
TRIVANDRUM.

BY GOVERNMENT PLEADER SRI.M.A.FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C).NO.30645 of 2006-W

Dated this the 29th day of November, 2006

JUDGMENT

The petitioner was in possession of a Goods Vehicle bearing Registration No.KLA 2385, for a period of ten days. She submits that she sold it to a third party, under Ext.P1 agreement dated 25-3-1996. Later, by Ext.P4 she has been called upon to pay tax for the said vehicle for the period from 1-4-1997 to 30-6-2005. The petitioner submits that this direction is issued without taking note of the intimation filed by her regarding the sale of the said vehicle. The petitioner appealed against Ext.P4, before the Deputy Transport Commissioner. The said appeal was dismissed by order dated 18-9-2006. So, she has filed Ext.P5 revision, before the Transport Commissioner, the 4th respondent herein. During the pendency of the revision, she has been served with Ext.P6 demand notice, directing her to pay the amount covered by an earlier notice issued on 27-2-2004. This writ petition is filed challenging Ext.P6.

2. The learned Government Pleader, upon instruction, submitted that Ext.P5 is received and pending. Pendency of the

revision petition will not operate as stay. Therefore, I find nothing illegal with Ext.P6. But, the 4th respondent is directed to consider and pass orders on Ext.P5, in accordance with law, after affording an opportunity of being heard to the petitioner, within one month from the date of production of a copy of this judgment. If so advised, the petitioner may move the 4th respondent, for appropriate interim reliefs.

The writ petition is disposed of as above.

K.BALAKRISHNAN NAIR,JUDGE.

MS